

**RULES
OF
DEPARTMENT OF COMMUNITY HEALTH**

Please Note: The Department of Community Health provides this electronic version of the Administrative Rules and Regulations as a service to the public. Though every effort is made to insure the accuracy of this material, certain errors or omissions may exist within these documents. The electronic version of the rules may not be substituted for the official, published version of the Rules and Regulations and should not be used as the sole basis to initiate any proceeding or action. The official compilation of Administrative Rules and Regulations is published by the Office of Secretary of State, pursuant to O.C.G.A. 50-13-7; the printed compilations are available in public libraries and state agencies and the official electronic version is located on the Secretary of State's website at the following address:

http://rules.sos.state.ga.us/pages/DEPARTMENT_OF_COMMUNITY_HEALTH/index.html.

**111-2
HEALTH PLANNING**

**111-2-2
Certificate of Need**

111-2-2-35 Specific Review Considerations for Comprehensive Inpatient Physical Rehabilitation Services.

(1) **Applicability.** The following Rules apply to Physical Rehabilitation Programs and Services defined herein as providing Comprehensive Inpatient Physical Rehabilitation Programs for Spinal Cord Disorders (all ages), Comprehensive Inpatient Physical Rehabilitation Programs for children 14 years of age and under, and Comprehensive Inpatient Physical Rehabilitation Programs for adults 15 years of age and over.

(2) **Definitions.**

(a) 'Adults' means persons fifteen years of age and over.

(b) 'Children' means persons fourteen years of age and under.

(c) 'Comprehensive Inpatient Physical Rehabilitation Programs' means rehabilitation services provided to a patient who requires hospitalization, in that the patient has one or more medical conditions requiring intensive and interdisciplinary rehabilitation care, or has a medical complication in addition to the primary condition, so that the continuing availability of a physician is required to ensure safe and effective treatment, and which meet the definitions and guidelines, Physical Rehabilitation Services and Programs: Definitions and Program Guidelines, as described in the most recent official State Health Component Plan for Physical Rehabilitation Programs and Services.

(d) 'Freestanding Rehabilitation Hospital' means a specialized hospital organized and operated as a self-contained health care facility that provides one or more rehabilitation programs.

(e) 'Official State Health Component Plan' means the document related to Physical Rehabilitation Programs and Services developed by the Department, established by the Georgia Health Strategies Council and signed by the Governor of Georgia.

(f) 'Planning Areas' means sub-state regions for Physical Rehabilitation Programs and Services, as defined in the most recent official State Health Component Plan for Physical Rehabilitation Programs and Services.

(3) Standards: Comprehensive Inpatient Physical Rehabilitation Programs for Spinal Cord Disorders.

(a) The need for new or expanded Comprehensive Inpatient Physical Rehabilitation Programs for Spinal Cord Disorders in the State shall be determined through the application of the rehabilitation need methodology as described in the most recent official State Health Component Plan for Physical Rehabilitation Programs and Services.

(b) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Spinal Cord Disorders shall document the impact on existing and approved services in the planning area with the goal of minimizing adverse impact on the delivery system.

(c) The desired minimum bed size for a Comprehensive Inpatient Physical Rehabilitation Program for Spinal Cord Disorders is 20 beds for a new unit in a freestanding rehabilitation hospital and 40 beds for a new freestanding rehabilitation hospital. The Department may grant an exception to this standard when the Department determines that unusual circumstances exist that justify such action.

(d) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Spinal Cord Disorders shall demonstrate the intent to meet the standards of the Commission on Accreditation of Rehabilitation Facilities (CARF) that apply to Spinal Cord Injury Programs and the applicable licensure Rules of the Georgia Department of Human Resources.

(e) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Spinal Cord Disorders shall have written policies and procedures for utilization review. Such review shall consider, but is not limited to, factors such as medical necessity, appropriateness and efficiency of services, quality of patient care, and rates of utilization.

(f) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Spinal Cord Disorders shall document the intent to comply with the *Physical Rehabilitation Services and Programs: Definitions and Program Guidelines*, as described in the most recent official State Health Component Plan for Physical Rehabilitation Programs and Services.

(g) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Spinal Cord Disorders shall document the existence of referral arrangements with an acute-care hospital(s) to provide acute and emergency medical treatment to any patient who requires such care.

(h) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Spinal Cord Disorders shall foster an environment that assures access to services to individuals unable to pay and regardless of payment source or circumstances by the following:

1. providing evidence of written administrative policies and directives related to the provision of services on a nondiscriminatory basis;
2. providing a written commitment that un-reimbursed services for indigent and charity patients in the service will be offered at a standard which meets or exceeds three percent of annual gross revenues for the service after Medicare and Medicaid contractual adjustments and bad debt have been deducted; and
3. providing documentation of the demonstrated performance of the applicant, and any facility in Georgia owned or operated by the applicant's parent organization, of providing services to individuals unable to pay based on the past record of service to Medicare, Medicaid, and indigent and charity patients, including the level of un-reimbursed indigent and charity care.

(i) A new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Spinal Cord Disorders shall be developed in a manner that improves the distribution of beds for similar Programs, existing or approved, within the State, based on geographic and demographic characteristics.

(j) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Spinal Cord Disorders shall demonstrate that charges for services compare favorably with charges for similar services in the State, when adjusted for inflation.

(k) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Spinal Cord Disorders shall agree to provide the State Health Department with requested information and statistical data related to the operation of such a Program on a yearly basis, or as needed, and in a format requested by the Department.

(4) Standards: Comprehensive Inpatient Physical Rehabilitation Programs For Children.

(a) The need for new or expanded Comprehensive Inpatient Physical Rehabilitation Programs for Children in a planning area shall be determined through the application of the rehabilitation need methodology as described in the most recent official State Health Component Plan for Physical Rehabilitation Programs and Services.

(b) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Children shall document the impact on existing and approved services in the planning area with the goal of minimizing adverse impact on the delivery system.

(c) The desired minimum bed size for a Comprehensive Inpatient Physical Rehabilitation Program for Children is 10 beds for a new unit in a freestanding rehabilitation hospital or a freestanding hospital specializing in the care of pediatric patients and 40 beds for a new freestanding rehabilitation hospital. The Department may grant an exception to this standard when the Department determines that unusual circumstances exist that justify such action.

(d) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Children shall demonstrate the intent to meet the standards of the Commission on Accreditation of Rehabilitation Facilities (CARF) that apply to Comprehensive Inpatient Physical Rehabilitation Programs and the applicable licensure Rules of the Georgia Department of Human Resources.

(e) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Children shall have written policies and procedures for utilization review. Such review shall consider, but is not limited to, factors such as medical necessity, appropriateness and efficiency of services, quality of patient care, and rates of utilization.

(f) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Children shall document the intent to comply with the *Physical Rehabilitation Services and Programs: Definitions and Program Guidelines*, as described in the most recent official State Health Component Plan for Physical Rehabilitation Programs and Services.

(g) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Children shall document the existence of referral arrangements with an acute-care hospital(s) within the planning area to provide acute and emergency medical treatment to any patient who requires such care, unless the applicant is a freestanding, acute-care hospital specializing in the care of pediatrics.

(h) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Children shall foster an environment that assures access to services to individuals unable to pay and regardless of payment source or circumstances by the following:

1. providing evidence of written administrative policies and directives related to the provision of services on a nondiscriminatory basis;
2. providing a written commitment that un-reimbursed services for indigent and charity patients in the service will be offered at a standard which meets or exceeds three percent of annual gross revenues for the service after Medicare and Medicaid contractual adjustments and bad debt have been deducted; and
3. providing documentation of the demonstrated performance of the applicant, and any facility in Georgia owned or operated by the applicant's parent organization, of providing services to individuals unable to pay based on the past record of service to Medicare, Medicaid, and indigent and charity patients, including the level of un-reimbursed indigent and charity care.

(i) A new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Children shall be developed in a manner that improves the distribution of beds for similar Programs, existing or approved, within the planning area, based on geographic and demographic characteristics.

(j) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Children shall demonstrate that charges for services compare favorably with

charges for similar services in the same geographic planning area, when adjusted for inflation.

(k) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Children shall agree to provide the State Health Department with requested information and statistical data related to the operation of such a Program on a yearly basis, or as needed, and in a format requested by the Department.

(5) Standards: Comprehensive Inpatient Physical Rehabilitation Programs For Adults.

(a) The need for new or expanded Comprehensive Inpatient Physical Rehabilitation Programs for Adults in a planning area shall be determined through the application of the rehabilitation need methodology as described in the most recent Official State Health Component Plan for Physical Rehabilitation Programs and Services. The Division may grant an exception to the rehabilitation need methodology:

1. For an applicant proposing an adult inpatient physical rehabilitation program to be located in a county with a population of less than 40,000 and to be located a minimum of 50 miles away from any existing adult inpatient physical rehabilitation programs in the state; or
2. To remedy an atypical barrier to inpatient adult physical rehabilitation services based on cost, quality, financial access or geographic accessibility.

(b) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Adults shall document the impact on existing and approved services in the planning area with the goal of minimizing adverse impact on the delivery system.

(c) The desired minimum bed size for a Comprehensive Inpatient Physical Rehabilitation Program for Adults is 20 beds for a new unit in a freestanding rehabilitation hospital or in an acute-care hospital and 40 beds for a new freestanding rehabilitation hospital. The Department may grant an exception to this standard when the Department determines that unusual circumstances exist that justify such action.

(d) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Adults shall demonstrate the intent to meet the standards of the Commission on Accreditation of Rehabilitation Facilities (CARF) that apply to Comprehensive Inpatient Physical Rehabilitation Programs and applicable licensure Rules of the Georgia Department of Human Resources.

(e) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Adults shall have written policies and procedures for utilization review. Such review shall consider, but is not limited to, factors such as medical necessity, appropriateness and efficiency of services, quality of patient care, and rates of utilization.

(f) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Adults shall document the intent to comply with the Physical Rehabilitation Services and Programs: Definitions and Program Guidelines, as described in the most recent Official State Health Component Plan for Physical Rehabilitation Programs and Services.

(g) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Adults shall document the existence of referral arrangements with an acute-care hospital(s) within the planning area to provide acute and emergency medical treatment to any patient who requires such care, unless the applicant is an acute-care hospital.

(h) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Adults shall foster an environment that assures access to services to individuals unable to pay and regardless of payment source or circumstances by the following:

1. providing evidence of written administrative policies and directives related to the provision of services on a nondiscriminatory basis;
2. providing a written commitment that un-reimbursed services for indigent and charity patients in the service will be offered at a standard which meets or exceeds three percent of annual gross revenues for the service after Medicare and Medicaid contractual adjustments and bad debt have been deducted; and
3. providing documentation of the demonstrated performance of the applicant, and any facility in Georgia owned or operated by the applicant's parent organization, of providing services to individuals unable to pay based on the past record of service to Medicare, Medicaid, and indigent and charity patients, including the level of un-reimbursed indigent and charity care.

(i) A new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Adults shall be developed in a manner that improves the distribution of beds for similar Programs, existing or approved, within the planning area based on geographic and demographic characteristics.

(j) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Adults shall demonstrate that charges for services shall compare favorably with charges for similar services in the same geographic planning area, when adjusted for inflation.

(k) An applicant for a new or expanded Comprehensive Inpatient Physical Rehabilitation Program for Adults shall agree to provide the State Health Department with requested information and statistical data related to the operation of such a Program on a yearly basis, or as needed, and in a format requested by the Department.